

Phoenix City Public Schools

Educational Services Center

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July 19, 2004

Federal Communications Commission
Office of the Secretary

Re: CC Docket No. 02-06

To Whom It May Concern:

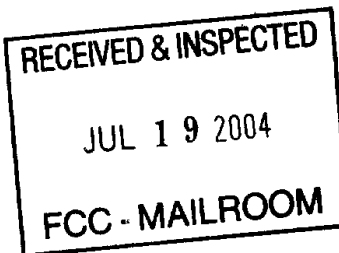
This is a Request for Review of the following:

Form 486 Application Number: 251030
Applicant Form 472 Identifier: Y5-internet
Billed Entity Number: 128202
Funding Request Number: 859203
Form 471 Application Number: 322329
SLD Administrator's Decision on Appeal: June 18, 2004

Form 486 Application Number: 251037
Applicant Form 472 Identifiers: Y5-telephone and Y5-cell
Billed Entity Number: 128202
Funding Request Numbers: 864187 and 864334
Form 471 Application Number: 323545
SLD Administrator's Decision on Appeal: June 18, 2004

The above forms 471 (Schools and Libraries Universal Service Program Services Ordered and Certification Form) were filed with the SLD, and Funding Commitment Decision Letters were received with Funding Status as Funded. Forms 472 (Billed Entity Applicant Reimbursement Form) were submitted to the SLD but denied because forms 486 (Receipt of Services Confirmation Form) were not submitted.

We appealed to the SLD and forwarded Forms 486 with a start date of July 1, 2002. They issued new Funding Commitment Decision Letters changing the Service Start Dates to October 10, 2003 and changing the Adjusted Funding Commitment to 1/12 of the original amount. The start dates are outside the range of funding year 2002-2003 and conflict with approved forms 471 dates for the same services for year 2003-2004. We contacted the SLD about these dates, and they advised us to file another letter of appeal and reference Case Number 21-070180. We received Administrator's Decision on

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Appeal letters from the SLD with a Decision on Appeal as Denied in full for 471 Application Number 322329, Funding Request Number 859203 and 471 Application Number 323545, Funding Request Numbers 864187 and 864334.

We do not feel we should be penalized so severely for a simple mistake. Especially since these services are priority one, and the service start dates were furnished on the Forms 471. It also appears the SLD made a mistake in adjusting the start dates to conflicting dates. We understand simple mistakes can be made and we certainly don't want to criticize the SLD. However, this funding is critical for technology within this school system.


Additionally, we request the requirement for a Service Start Date (From 486) be reviewed for priority one (Telecommunications Services and Internet Access) when the Contract Number, Service Start Date, Contract Expiration Date and Monthly Charges are submitted on the Form 471. Our service for Internet Access in this appeal is in the second year of a three-year contract. Our Telecommunications services are one-year contracts. These services have also been funded by the SLD in previous years for this School District.

If it is determined that the Form 486 is required, we request the SLD provide notification of receipt. Perhaps the SLD computer could be programmed to send a follow up letter if the Form 486 is not received after a specific time frame. Maybe ninety days after the date provided on the Form 471 would be appropriate. Currently, if the form 486 was not prepared, prepared and not mailed or mailed and not received by the SLD, it could be a year before the applicable entity realizes it. The status of a Form 471 can be checked on the SLD web site. However, we don't know of a way to check the Form 486.

Please let us know if additional information is needed. Your consideration of this appeal is greatly appreciated. We realize the SLD and FCC have a difficult time in monitoring and administering the e-rate. Please keep in mind that this appeal is not about fraud or abuse, and the funds we are requesting will be used for the purpose the e-rate was established - to assist Schools and Libraries in obtaining affordable telecommunications and Internet access.

Contact for this appeal is:

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Superintendent